

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

October 27, 2023

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXASBY: Natasha Martinez
DEPUTY

United States of America

v.

Charles Alexander Lopez

Case No. SA:23-MJ-1508

Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 24, 2023 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 USC 2251(a)

Sexual exploitation of children

Penalties: 15 year mandatory minimum term of imprisonment; 30 year maximum term of imprisonment; Lifetime supervised release; \$250,000 fine; Up to \$50,000 assessment under 2259A; \$100 special assessment; \$5,000 assessment under JVT A; restitution; forfeiture; and registration as a sex offender



This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*

Mackenzie D. Ferguson, FBI Special Agent

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: October 27, 2023City and state: San Antonio, Texas*Judge's signature*

Henry J. Bemporad, U.S. Magistrate Judge

Printed name and title

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Mackenzie D. Ferguson, being duly sworn, depose and state that:

1. I am a Special Agent ("SA") of the Federal Bureau of Investigation ("FBI") and have been employed by the FBI since June 2010. I served as an FBI Intelligence Analyst from June 2010 through June 2021, first assigned to support investigations into child exploitation matters in 2015. I am currently assigned to the Crimes Against Children Task Force in the FBI San Antonio Field Division. I have received particularized training in the investigation of computer-related crimes, child abductions, online enticement, online threatening communications, peer-to-peer computer networking, and online (i.e., Internet based) crimes against children. I have conducted and been involved in numerous investigations of individuals suspected of utilizing Internet devices to further criminal activity and have participated in the execution of numerous search warrants which have resulted in the seizure of digital evidence. I have had the occasion to become directly involved in investigations relating to missing or kidnapped children and am familiar with the investigative techniques commonly used to collect evidence in such cases.

2. I am currently assigned to the FBI San Antonio Field Office, Child Exploitation and Human Trafficking Task Force. I investigate crimes against children, including possession, distribution, receipt, and production of child pornography, the sexual exploitation of children, and trafficking. I have received particularized training in the investigation of computer-related crimes, social networking, and online (i.e. Internet based) crimes against children.

3. This affidavit is being submitted in support of an Application for a Criminal Complaint for **CHARLES ALEXANDER LOPEZ**, date of birth: XX/XX/1994.

4. The factual information supplied in this affidavit is based upon your Affiant's own investigation of this matter, as well as information provided by other law enforcement officers. Since this affidavit is submitted for the purpose of securing a complaint, it does not include every fact known to the Affiant concerning this investigation. The Affiant has set forth facts that she believes establish probable cause to believe that **CHARLES ALEXANDER LOPEZ** has violated the provisions of Title 18, U.S.C., Section 2251(a) – Sexual Exploitation of Children.

5. In October 2023, the FBI, working in an undercover capacity, identified an individual, later identified as CHARLES ALEXANDER LOPEZ, in a Wickr group chat titled "Boy Rape." In the chat, LOPEZ claimed to be engaged in the sexual abuse and exploitation of multiple minor children.

6. On October 24, 2023, LOPEZ posted two images and a video to the group, along with a message stating, "My conquest for the day." The two images depicted the lascivious display of the erect penis of a male toddler, hereafter referred to as CV1. LOPEZ posted that CV1 was a three-year-old (3) boy that LOPEZ had just sexually assaulted. The video was approximately five seconds in length and depicted LOPEZ's erect penis protruding from a pair of blue jeans. CV1 approaches the erect penis as LOPEZ can be heard saying "give it a kiss." CV1 then briefly places his mouth on LOPEZ's penis.

7. A review of the EXIF data associated with the media files shared by LOPEZ indicated the files were created on October 23, 2023, at approximately 1:00pm CDT, using a Samsung Galaxy S20 cellular phone.

8. The FBI undercover employee also interacted directly with LOPEZ through a Wickr private chat. During this conversation, LOPEZ disclosed he had digitally penetrated a

toddler female a few days prior and that he had sexually exploited an eleven-year-old autistic male child, as well as a six-year-old female child. LOPEZ disclosed that he possessed “nudes” of the children he had assaulted.

9. During the conversation with LOPEZ, the FBI undercover employee utilized a publicly available IP address logging service to determine LOPEZ was utilizing a Samsung Galaxy S20 cellular telephone which was connected to the Internet via an IP address in San Antonio, Texas.

10. On October 25, 2023, FBI identified a user of that IP address as Charles Alexander LOPEZ. LOPEZ’s criminal history record includes juvenile charges of indecency with a child by sexual contact and indecency with a child via exposure.

11. On October 26, 2023, FBI San Antonio executed a federal search warrant for the home of Charles Alexander LOPEZ and his person, and seized electronic devices used to produce, distribute, and possess child pornography. Within a secured folder on LOPEZ’s cellular telephone, FBI San Antonio identified several folders containing child pornography images and videos. Many of these photos were labeled with the names of LOPEZ’s minor victims. One of the folders, which bore the name of an identified minor male, contained images and videos of LOPEZ sexually assaulting the child. In at least one video, the child was positively identified as the known minor male.

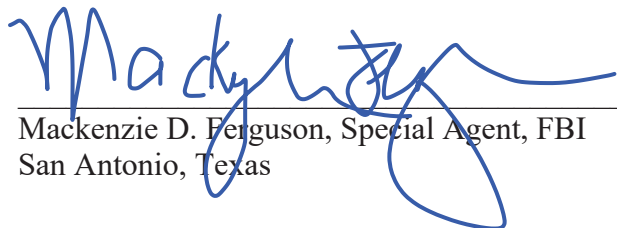
12. LOPEZ agreed to speak with FBI agents and admitted to sexually assaulting and exploiting CV1. LOPEZ provided the name of the child, along with the names of many other children he sexually assaulted and exploited. LOPEZ admitted using his Samsung Galaxy S20 cellular phone to produce the images and videos of CV1, and to share the child sexual abuse

material with others via the Internet. LOPEZ stated he has been sexually assaulting young children since he was ten years old. LOPEZ stated he has sexually assaulted fifteen children and produced child pornography of approximately five different children. LOPEZ indicated that FBI would find those files in a hidden folder on his phone.

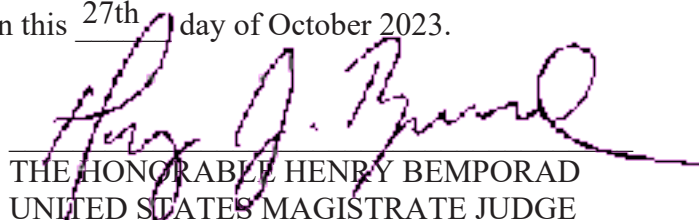
13. The Samsung Galaxy S20 cellular phone is not manufactured in the state of Texas.

14. Based on the aforementioned facts, your Affiant respectfully submits that there is probable cause to believe that on or about October 24, 2023, in the Western District of Texas, **CHARLES ALEXANDER LOPEZ**, did knowingly employ, use, persuade, induce, entice and coerce a minor, CV1, to engage in any sexually explicit conduct for the purpose of producing visual depictions of such conduct, and that such visual depictions have actually been transported and transmitted using means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and were produced using materials that were shipped and transported in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 2251(a).

FURTHER AFFIANT SAYETH NOT,


Mackenzie D. Ferguson, Special Agent, FBI
San Antonio, Texas

Sworn to and subscribed telephonically on this 27th day of October 2023.


THE HONORABLE HENRY BEMPORAD
UNITED STATES MAGISTRATE JUDGE